

# ATTACHMENT 1

## COMPLAINT FORM

(for filers who are prisoners without lawyers)

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF WISCONSIN

362 United States Courthouse 517 E. WI. AVE. Milwaukee, WI 53202

(Full name of plaintiff(s))

CASIMIR E. KIELBASA

VS

Case Number:

(Full name of defendant(s))

(to be supplied by clerk of court)

- ① Stephanie (Jane Doe #1)
- ② Latisha (Jane Doe #2)
- ③ Captain Friend (John Doe #1)
- ④ Racine County Jail Subcontracted Medical CO. (John Doe Co.)
- ⑤ ARAMARK CO.

### A. PARTIES

1. Plaintiff is a citizen of WISCONSIN, and is located at  
(State)

Dodge Correctional Inst. P.O. Box 661 WAUPUN, WI. 53963  
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper).

## **Statement of Civil Claim**

The Plaintiff Casimir Kielbasa is an inmate at Dodge Correctional Institution (D.C.I.), in Waupun, WI. Between June 21<sup>st</sup>, 2021 and May 9<sup>th</sup>, 2023; Mr. Kielbasa was incarcerated at the Racine County Jail (RCJ), in the City of Racine, WI. Previously to being incarcerated at the (RCJ), Mr. Kielbasa was prescribed an opiate 'Buprenorphine', aka 'Subutex and/or Suboxone', to treat severe pain, and bodily maintenance. Mr. Kielbasa took this medication as prescribed, every day for 10 plus years. Initially at the (RCJ), in June of 2021; Mr. Kielbasa was seen by various LPN's. He was also seen by (Stephanie/Jane Doe #1). She was a psychologist at the (RCJ). She informed Mr. Kielbasa the medicine he had been taking for the past 10+ years was not going to be administered, because; it was against facility policy at the (RCJ). This is totally contrary to proper medical procedure of weening a patient off buprenorphine. This is evident by the warnings which come on the individual bottles of buprenorphine, and also the medications pharmokenesis.

Mr. Kielbasas suffered greatly the first couple months at (RCJ), as a direct result of the facilities policy to not administer this medication, nor ween a patient off this powerful opiate on a tapered dose. Mr. Kielbasa suffered, and continues to suffere; severe pain, depression, anxiety, and hallucinations. Mr. Kielbasa filed numerous requests during this time to the Medical staff at (RCJ). Upon being examined by the (RCJ) medical provider (Latisha/Jane Doe #2) in late 2021, Mr. Kielbasa was informed by Latisha, his medicine would not be administered to him. Meanwhile Mr. Kielbasa continued to suffer at the (RCJ). Also, an unknown date, in late 2021, Mr. Kielbasa seen "Captain Friend" and got his attention through the secure glass of Mr. Kielbasa's pod. Mr. Kielbasa asked Captain Friend for his medicine. He was told by Captain Friend, "that drug is not permitted in my jail." Yet, throughout Mr. Kielbasa's incarceration at the (RCJ), Mr. Kielbasa

witnessed other inmates receiving the very same medication of buprenorphine.

Mr. Kielbasa made all attempts to have his medicine administered to him. He filed numerous grievances and requests on his tablet and on the kiosk. It was about 2 months prior to Mr. Kielbasa being transferred to (DCI): at this time Mr. Kielbasa tried looking up all the numerous requests and grievances he filed about his medicine. He found all the grievances and requests, which contained the words 'Subutex, Buprenorphine, and Suboxone' were cherry picked out and deleted from the Kiosk and Tablet. The kiosk and tablets are operated by (Aramark Corporation.) The medical requests and grievances go through the kiosk, and tablets, to the unidentified (subcontracted Medical Providing Company), which was employed by the (RCJ) at these times. Additionally, Mr. Kielbasa sent numerous grievances and requests, on the trying to obtain the full name of all medical personal who treated him, and the name of the subcontracted medical CO. during his incarceration at the (RCJ). Not only did the medical staff, and management, refuse to answer; they cherry picked those messages and/or grievances and deleted them from the Aramark app as well.

Due to the past and ongoing physical, and psychological pain suffered Mr. Kielbasa, as a result of this medication being purposefully withheld: Mr. Kielbasa is seeking damages from (Stephanie/Jane Doe #1), (Latisha/Jane Doe#2), (Captain Friend), (The subcontracted Medical Providing Company) employed by RCJ, and the (Aramark Co.)

2. Defendant All <sup>5</sup> as listed on page #1 (Name)

is (if a person or private corporation) a citizen of Wisconsin (State, if known)

and (if a person) <sup>employed</sup> resides at 717 Wisconsin Ave. Racine, WI, 53403-1237 (Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for The Racine County Jail (Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

PLEASE SEE ATTACHED AND  
TYPED FORM MARKED "STATEMENT  
OF CIVIL CLAIM."

## **Relief Wanted**

- 1) That the medical and management staff at Racine County Jail be ordered to not deny any inmate vital medication when being incarcerated, and in their care.
- 2) Captain Friend should be reminded the Racine County Jail is the taxpayer's jail and not his personal property.
- 3) That Stephanie (Jane Doe #1), and Latisha (Jane Doe #2) be reprimanded for withholding vital medication from Mr. Kielbasa, and that they go before medical review boards.
- 4) That Aramark Co., be held liable and remanded for letting the purposeful deletion of Mr. Kielbasas medical records, on the Aramark app, which is administered to inmates at the Racine County Jail for all communications between medical, management, and inmates.
- 5) That thee Racine County Jails' (Subcontracted Medical Providing Company) be held liable for the deliberate malpractice of its employees upon Mr. Kielbasa
- 6) That Captain Friend be reprimanded for the deliberate consent of withholding Mr. Kielbasa's vital medication, while deeming it 'facility policy.'
- 7) That it be ordered by the court Mr. Kielbasa be put back on the medication of Subutex as soon as possible.
- 8) That Mr. Kielbasa be restituted, for his pain and suffering, in the amount of \$1,000.00 US dollars per day of his incarceration at the Racine County Jail.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$\_\_\_\_\_.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

Please See attached Typed form.  
Marked "Relief WANTED".

E. JURY DEMAND

☒ Jury Demand - I want a jury to hear my case  
OR

☐ Court Trial - I want a judge to hear my case

Dated this JUNE day of 01 2023

Respectfully Submitted,

Casimir Kielbasa

Signature of Plaintiff

720248

Plaintiff's Prisoner ID Number

Dodge Correctional Facility  
PO Box ~~XXXX~~ 661

Waupun, WI. 53963

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

**REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE**

☒ I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.

☐ I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.